

Exhibit 1**The State of New Hampshire**HILLSBOROUGH COUNTY
NORTHERN DISTRICT

SUPERIOR COURT

() COURT
(xx) JURY

WRIT OF SUMMONS

Andrea Masse, Individually and as Guardian
and Next Friend of Taylor Lee Delamex, a
Minor
1791 Bodwell Road, Unit 9
Manchester, NH 03109Fidelity Security Life
Insurance Company
3130 Broadway Street, Suite 5
Kansas City, MO 64111-2452The Sheriff or Deputy of any County is ordered to summon each defendant to file a written appearance with the
Superior Court at the address listed below by the return day of this writ which is the first Tuesday of December 7,
2004 YEAR MONTH

The PLAINTIFF(S) state(s):

Please see attached.

and the Plaintiff(s) claim(s) damages within the jurisdictional limits of this Court.

Andrea Masse

INDORSER (sign and print name)

November 1, 2004

DATE OF WRIT

NOTICE TO THE DEFENDANT

The Plaintiff listed above has begun legal action against you. You do not have to physically appear in Court on the return day listed above since there will be no hearing on that day. However, if you intend to contest this matter, you or your attorney must file a written appearance form with the Clerk's Office by that date. (Appearance forms may be obtained from the Clerk's Office.) You will then receive notice from the Court of all proceedings concerning this case. If you fail to file an appearance by the return day, judgment will be entered against you for a sum of money which you will then be obligated to pay.

Witness, Walter L. Murphy, Chief Justice, Superior Court.

John M. Safford
John M. Safford, Clerk
NH Superior Court Hillsborough County
Northern District
300 Chestnut St
Manchester NH 03101-2490
(603) 669-7410
213-003-3

SIGNATURE OF PLAINTIFF/ATTORNEY

Thomas Craig, Esquire

PRINTED/TYPED NAME

99 Stark Street, Manchester, NH 03101
ADDRESS603 / 622-1900

PHONE

Andrea Masse, Individually and as Guardian and Next
Friend of Taylor Lee Delaney, a Minor

v.

Fidelity Security Life Insurance Company

COUNT I - Breach of Contract Re: Charges for Final Medical
Services of Branden Delaney

In a plea of Assumpsit, in that on or about February 4, 2002 Branden Delaney of Manchester, New Hampshire, died as a result of heart failure; Defendant, Fidelity Security Life Insurance Company, of 3130 Broadway, Kansas City, MO. 64111 (hereinafter referred to as "Fidelity Insurance"), issued a contract of group term life insurance to Kimark Specialty Box Co., Inc., insuring the life of its employee, Branden Delaney which was in effect on the date of Mr. Delaney's death; The Plaintiff, Amanda Masse of 1791 Bodwell Road, Unit 9, Manchester, New Hampshire provided the defendant with the medical charges for services provided to Mr. Delaney for the period February 2, 2004 to February 4, 2004 (his date of death); THAT DEFENDANT FIDELITY INSURANCE HAD A DUTY PURSUANT TO said contract for life insurance to reimburse the plaintiffs for the aforementioned medical charges, as provided for by the terms of said life insurance policy; THAT DEFENDANT BREACHED THE CONTRACT in that defendant failed to reimburse plaintiffs for the aforementioned medical charges, pursuant to the terms of the contract of life insurance; THAT AS A DIRECT AND PROXIMATE RESULT OF DEFENDANT'S BREACH OF THE CONTRACT, Plaintiffs sustained economic damages; that defendant owes plaintiff an amount within the jurisdictional limits of this Court.

Plaintiffs also seek their interest, costs and attorney's fees.

COUNT II - Breach of Contract Re: Life Insurance Benefits

In a plea of Assumpsit, in that on or about February 4, 2002 Branden Delaney of Manchester, New Hampshire, died as a result of heart failure; Defendant, Fidelity Security Life Insurance Company, of 3130 Broadway, Kansas City, MO. 64111 (hereinafter referred to as "Fidelity Insurance"), issued a contract of group term life insurance to Kimark Specialty Box Co., Inc., insuring the life of its employee, Branden Delaney which was in effect on the date of Mr. Delaney's death; The minor Plaintiff, Taylor Lee Delaney of 1791 Bodwell Road, Unit 9, Manchester, NH 03109, as Guardian and Next Friend was named as the beneficiary of said life insurance policy;; THAT DEFENDANT FIDELITY INSURANCE HAD A DUTY PURSUANT TO said contract for life insurance to provide the life insurance benefits (i.e., death benefits) to the Minor

Plaintiff, by and through her Guardian and Next Friend, Andrea Masse, as provided for by the terms of said life insurance policy; THAT DEFENDANT BREACHED THE CONTRACT in that defendant failed to provide the plaintiffs with said life insurance benefits (i.e., death benefits), pursuant to the terms of the contract of life insurance; THAT AS A DIRECT AND PROXIMATE RESULT OF DEFENDANT'S BREACH OF THE CONTRACT, Plaintiffs sustained economic damages; that defendant owes plaintiff an amount within the jurisdictional limits of this Court.

Plaintiffs also seek their interest, costs and attorney's fees.

COUNT III - BAD FAITH

IN A PLEA OF THE CASE that the allegations contained in Count I are incorporated here by reference and plaintiff further alleges DEFENDANT THEN AND THERE HAD A DUTY of good faith and fair dealing toward Plaintiff to provide plaintiffs with life insurance benefits which were due them under the policy; that IN BREACH OF DEFENDANT'S SAID DUTY OF GOOD FAITH AND FAIR DEALING and IN BAD FAITH Defendant failed to provide plaintiff with said reimbursement for charges for Branden Delaney's final medical treatment and failure to provide life insurance benefits under the terms of the policy; AS A DIRECT AND PROXIMATE RESULT OF DEFENDANT'S BREACH OF THE SAID DUTY and AS A DIRECT AND PROXIMATE RESULT of DEFENDANT'S BAD FAITH the plaintiffs were wrongfully deprived of reimbursement for Branden Delaney's final medical charges; FURTHER, the minor plaintiff, Taylor Lee Delaney; And of receiving her father's life insurance benefits (i.e., death benefits) under the terms of the life insurance policy, Plaintiffs incurred additional financial losses. The Plaintiffs hereby seek, in addition to recovery for the above stated damages, their interest, costs, and reasonable attorneys fees. The amounts claimed herein are within the minimum and maximum jurisdictional limits of the Court to which this pleading is addressed.

Plaintiffs also seek their interest, costs and attorney's fees.

Merrimack County Sheriff's Office

163 North Main St.
Concord, NH 03301
Phone: 603-225-5583

FIDELITY SECURITY LIFE INSURANCE COMPANY
21 SOUTH FRUIT ST
CONCORD, NH 03301

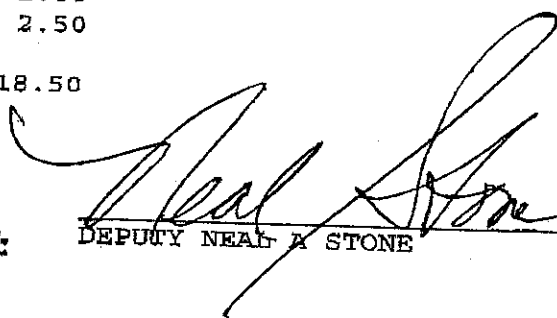
MERRIMACK, SS

DATE: November 9, 2004

10:11 AM
I, DEPUTY NEAL A STONE, this day at 10:11 AM, summoned the within named defendant FIDELITY SECURITY LIFE INSURANCE COMPANY, by leaving at the office of Roger Sevigny, Insurance Commissioner for the State of New Hampshire its true and lawful attorney for the service of process under and by virtue of Chapter 405-10 NH RSA as amended, two true and attested copies of this Writ of Summons/ Attachments and I paid said Commissioner for the State twenty-five (\$25.00) dollars as their fee for accepting service.

FEES:
Service: 15.00
Misc:
Postage 1.00
Travel 2.50
Total: 18.50

A TRUE COPY ATTEST:


DEPUTY NEAL A STONE

Deputy Sheriff


NEAL A. STONE, DEPUTY SHERIFF